

EXHIBIT “B”

				Flemming Attorneys' Fees
DATE	ATTY	HRS	RATE	TOTAL DESCRIPTION
1. CASE DEVELOPMENT				
7/30/2003	LRS	1.75	\$200	\$350 Review new correspondence and provide responses; work on statement of facts regarding Berry
7/31/2003	LRS	1	\$200	\$200 Review and comment on new pleadings
8/4/2003	LRS	0.75	\$200	\$150 Review new correspondence regarding Berry and service of process and prepare comments
8/5/2003	LRS	0.875	\$200	\$175 Review correspondence and provide comments on procedural issues relating to Berry copyright claims
8/8/2003	LRS	1.375	\$200	\$275 Telephone call with Hogan and Ichida; review new correspondence regarding settlement proposal and telephone call regarding same; review new correspondence regarding Hogan's mischaracterizations; follow-up telephone call with Ichida
8/20/2003	LRS	2	\$200	\$400 Review new Hawaii lawsuit and prepare comments
9/19/2003	LRS	0.875	\$200	\$175 Review new correspondence regarding Berry's claims and prepare comments; review correspondence regarding scheduling of Rule 26(f) meeting and prepare response
9/26/2003	LRS	0.5	\$200	\$100 Attend meet and confer conference
10/10/2003	AEL	2.6	\$120	\$312 Draft Rule 26(b) disclosure; Draft Scheduling Conf Statement for C&S/Fleming; Draft 26(a) Disclosure for both
10/21/2003	AEL	0.15	\$120	\$18 Review Hogan's email re: stipulation to postpone Nov. 17, 2003 hearing on Fleming's motion to dismiss pursuant to the first to file rule
11/18/2003	LRS	2.25	\$200	\$450 Review new pleadings; prepare correspondence regarding same; telephone conversations from Hogan regarding discovery and "meet and confer"
11/24/2003	LRS	1	\$200	\$200 prepare and attend meet and confer with Hogan
12/9/2003	LRS	1	\$200	\$200 Correspondence with Capozzola regarding copyright issues and expert witness
1/7/2004	LRS	0.75	\$200	\$150 Review new correspondence from Hogan and prepare response; research regarding scope of discovery
1/14/2004	LRS	1.5	\$200	\$300 Research regarding Mark Dillon's testimony and original creation

2/3/2004 LRS	2.5	\$200	\$500	Work on evaluation of copyright claim
2/6/2004 LRS	2.375	\$200	\$475	Attend status conference; work on settlement proposal
2/9/2004 AEL	1.85	\$120	\$222	Draft Confidential Settlement Conference Statement
2/10/2004 LRS	1	\$200	\$200	Revisions to settlement conference statement
2/11/2004 LRS	1.5	\$200	\$300	Correspondence regarding settlement issues
2/11/2004 AEL	0.2	\$120	\$24	Review latest correspondence, Court's Minutes
2/12/2004 LRS	0.75	\$200	\$150	Review new correspondence regarding settlement
				Review new correspondence from Betsi Silverman and prepare
2/16/2004 LRS	1	\$200	\$200	response
				Review new correspondence regarding proposed settlement
2/18/2004 LRS	0.5	\$200	\$100	and work on response
				Research re: Proposed Terms for settlement; draft Proposed
2/18/2004 AEL	2.25	\$120	\$270	Term Sheet
2/23/2004 LRS	1	\$200	\$200	Prepare letter regarding settlement recommendation
				Work on letter regarding settlement recommendation and
2/24/2004 LRS	1.5	\$200	\$300	proposed term sheet
				Work on Fleming, et al's Answer to Plaintiff's Second Amended
2/24/2004 AEL	1.3	\$120	\$156	Complaint
3/3/2004 LRS	1.25	\$200	\$250	Attend settlement conference and report to C&S and Fleming
				Review Orders from Judge Kobayashi re: plaintiff's filing of
				second amended complaint, appointing Bill Myer as mediator,
3/18/2004 AEL	0.3	\$120	\$36	and vacation of all dates pending mediation
3/22/2004 LRS	0.5	\$200	\$100	Work on letter to mediator
3/26/2004 LRS	1.25	\$200	\$250	Work on letter to mediator
				Review new correspondence re retention; review
				correspondence re investigation of new software and provide
3/30/2004 LRS	1.5	\$200	\$300	comments; work on revisions to letter to mediator
				Review new correspondence and prepare response regarding
4/2/2004 LRS	0.875	\$200	\$175	replacement software
				Work on responses to Hogan correspondence regarding
				mediation; review correspondence from C&S re proposed
4/7/2004 LRS	1.5	\$200	\$300	settlement terms and prepare responses
4/8/2004 LRS	1.25	\$200	\$250	Work on recommendations regarding mediation
4/14/2004 LRS	1	\$200	\$200	Prepare documents for submission to mediator
4/16/2004 LRS	1.5	\$200	\$300	Attend conference with mediator

4/21/2004	LRS	2.25	\$200	\$450	Correspondence to mediator; correspondence regarding Berry's administrative claim
4/23/2004	LRS	2.5	\$200	\$500	Work on analysis of applicable legal standard re software "similarities", if any. Correspondence regarding mediation
4/26/2004	LRS	2.25	\$200	\$450	Prepare correspondence regarding responses to Berry claims; prepare for mediation
4/28/2004	LRS	2.375	\$200	\$475	Work on analysis of software and research new issues raised by Hogan
4/29/2004	LRS	2.5	\$200	\$500	Review new correspondence from Capozzola and prepare response
5/5/2004	LRS	3	\$200	\$600	Prepare and attend mediation
5/6/2004	AEL	2.2	\$120	\$264	Research regarding Plaintiff's interpretation of date of "publication" of software
5/6/2004	LRS	1	\$200	\$200	Review new correspondence re mediation report and prepare responses
5/10/2004	AEL	0.45	\$120	\$54	Finalize documents for transmittal to counsel for all defendants
5/10/2004	LRS	1.75	\$200	\$350	Attend conference with court; attend meeting of defense counsel; prepare report regarding same
5/11/2004	LRS	1.5	\$200	\$300	Telephone calls with Birchette regarding mediation and litigation; work on motions for partial summary judgment
5/12/2004	AEL	1.85	\$120	\$222	Analysis re jury instructions and independent creation
5/14/2004	LRS	1.375	\$200	\$275	Review new correspondence re attempted mediation; and prepare responses
5/18/2004	LRS	2.75	\$200	\$550	Review correspondence from Hogan, Wes Ching; Victor Limongelli and Capozzola; prepare report regarding discovery issues involving Hogan
6/21/2004	LRS	1.25	\$200	\$250	Review new correspondence from C&S and prepare response
6/21/2004	AEL	1.15	\$120	\$138	Analysis of Plaintiff's RICO statement
8/23/2004	LRS	1.375	\$200	\$275	Review new pleadings re Y. Hata subpoena; correspondence w/ Kirkland & Ellis re same; correspondence with Hogan and K&E regarding scheduling
9/1/2004	LRS	0.75	\$200	\$150	Review correspondence from Hogan; attend meeting with Hogan regarding special master;
10/14/2004	LRS	1	\$200	\$200	Telephone calls with other defendants' counsel regarding discovery disputes

10/15/2004	AEL	0.45	\$120	\$54	Review Berry's Subpoena to Costco, Sam's and Safeway. Research rules regarding plaintiff's subpoenas to Costco, Sam's Club and Safeway; re subpoena authority under FRCP Rule 45, rights of opposing counsel to documents subpoenaed
10/17/2004	AEL	1.415	\$120	\$170	and notice requirements
10/18/2004	LRS	0.875	\$200	\$175	Telephone conversation with Hogan; review correspondence regarding Iowa Telecom records and Hogan discovery claims; telephone conversation with Hosoda regarding same
10/19/2004	LRS	0.875	\$200	\$175	Review new correspondence regarding discovery disputes; telephone conversation with Hogan regarding "meet and confer"
10/25/2004	AEL	2.05	\$120	\$246	Research regarding subpoena duces tecum in civil case served on non-party, rights of parties, procedures for access
10/26/2004	AEL	1.89	\$120	\$227	Research regarding procedures for subpoena duces tecum independent of deposition, service requirements; draft memo on same
10/26/2004	LRS	0.5	\$200	\$100	Telephone calls with Hogan regarding discovery of Flemings personnel records
10/27/2004	AEL	0.3	\$120	\$36	Attend Production of Documents in response to subpoena duces tecum
10/28/2004	LRS	1.25	\$200	\$250	Review new motions from Hogan; review new discovery demands from Hogan; telephone conversation with Hogan regarding same
10/29/2004	AEL	0.365	\$120	\$44	Draft memo re Berry's motion for continuance on MSJ
11/9/2004	AEL	0.45	\$120	\$54	Telephone conference with Jodi Kimura, counsel for Guidance Systems regarding current status of case, pleadings
11/10/2004	AEL	2.05	\$120	\$246	Prepare documents for Guidance System counsel, review records re: Fleming, Sinesky, and Berry, draft letter to Judge Kobayashi and all parties re: agreement that Clyde Matsui serve as Special Master
2/20/2005	AEL	0.24	\$120	\$29	Manage calendar communicate with Samad
3/1/2005	LRS	1.5	\$200	\$300	Prepare letter to Matsui regarding operating system; review new correspondence from Hogan regarding production of 1993 database and prepare response;

3/2/2005 LRS	2.75	\$200	\$550	Telephone conference and correspondence with K&E regarding Hogan proposal for discovery; prepare discussion of expert standard for report; review correspondence from B. Silverman regarding software; review new correspondence from Hogan regarding 1993 FCS and prepare response.
3/6/2005 LRS	2.25	\$200	\$450	(02/28/05) Review new pleadings; Telephone conferences regarding discovery of 1993 FCS; Telephone conferences regarding expert witnesses
3/9/2005 LRS	0.5	\$200	\$100	Review new correspondence from Hogan and prepare response.
3/10/2005 LRS	1.75	\$200	\$350	Review new material from Hogan; Telephone conference with Capozzola; prepare letters in response.
3/11/2005 LRS	0.75	\$200	\$150	Telephone conferences with Hosoda and Capozzola; Prepare new correspondence regarding installation of operating system.
3/16/2005 AEL	0.09	\$120	\$11	Review correspondence from Hogan
3/17/2005 LRS	1.375	\$200	\$275	Telephone conversations regarding Hogan assertions re Best Yet milk label and prepare resport regarding same; review new correspondence from Hogan
3/18/2005 LRS	2.5	\$200	\$500	Prepare materials for expert witness; work on C&S motion for summary judgment
3/18/2005 AEL	1.3	\$120	\$156	Prepared documents to be mailed to Kirkland & Ellis; finalized written interrogatories from C&S and from PCT; reviewed most recent correspondence
3/19/2005 AEL	0.36	\$120	\$43	Research previous correspondence re plaintiff's allegations and responses
3/20/2005 AEL	0.415	\$120	\$50	Research previous correspondence re plaintiff's allegations and responses
3/21/2005 AEL	0.21	\$120	\$25	document management; review email communications
3/23/2005 AEL	1.45	\$120	\$174	Document management, finalize joinder; review new correspondence and filings
3/23/2005 LRS	3.25	\$200	\$650	Telephone calls regarding Guidance discovery requests; review correspondence regarding Y. Hata; research regarding plaintiff's experts; obtain and review deposition transcript of Ueno from other cases
3/29/2005 LRS	1	\$200	\$200	Conference call regarding expert witness

3/29/2005 LRS	1.25	\$200	\$250	Telephone conversation with potential expert witness regarding expert testimony
3/31/2005 LRS	0.75	\$200	\$150	Conference call regarding expert testimony
4/1/2005 AEL	2.65	\$120	\$318	Prepare PCT's Memo in Opp to Berry's Motion for Relief from Rule 16 Scheduling Order; prepare C&S Memo in Opp and Joinder to PCT's Memo in Opp; prepare exhibits
4/1/2005 LRS	2	\$200	\$400	Review new pleadings and motions; conference call with Capozzola and Hosoda regarding same
4/4/2005 AEL	0.12	\$120	\$14	Coordination with K&E re document management re new filings and responses
4/6/2005 LRS	2.625	\$200	\$525	Review new materials regarding Berry's expert witness
4/7/2005 LRS	3	\$200	\$600	Draft letters to Hogan and discovery master regarding discovery issues and production of database; work on expert opinion
4/11/2005 AEL	0.2	\$120	\$24	prepare documents for hearing on Ponce defendant's Motion for Summary Judgment and Berry's Cross Motion FPR
4/12/2005 LRS	4.25	\$200	\$850	Summary Judgment
4/13/2005 ACT	0.75	\$150	\$113	Attend conference with Clyde Matsui; telephone calls regarding expert witness; correspondence to Hogan re production of database; review new orders from discovery master; work on C&S motion for summary judgment
4/13/2005 LRS	4.5	\$200	\$900	Research public records re Berry
4/13/2005 AEL	3.4	\$120	\$408	Telephone calls with Hogan and correspondence regarding master's orders
4/14/2005 AEL	2.125	\$120	\$255	Manage document, review recent filings, review pleadings related to whether Berry subpoenas to non-parties
4/15/2005 AEL	0.39	\$120	\$47	Review documents subpoenaed by Berry from third parties
4/18/2005 AEL	0.65	\$120	\$78	Review most recent correspondence; document management
4/18/2005 ACT	0.75	\$150	\$113	Research re legal standard for expert opinion and documents relevant to that standard. Research files for appropriate documents
				Telephone conversation with Julieann Berry; interoffice conference re same

4/19/2005 LRS	4	\$200	\$800	Research regarding plaintiff's damage claim; correspondence with Hogan; work on motion for summary judgment regarding logistics software; prepare proposed schedule for Matsui; telephone calls regarding scheduling and mainland depositions; correspondence regarding mediation
				Review new minutes from Judge Mollway; review Master report and prepare letter to Court; correspondence regarding scheduling of experts and motions; correspondence with Hogan regarding production; work on motions; logistics regarding protective order; review correspondence from
4/20/2005 LRS	4.25	\$200	\$850	Fujichaku
4/20/2005 JSL	0.375	\$35	\$13	Deliver filings
4/25/2005 LRS	3.25	\$200	\$650	Correspondence with Hogan regarding mainland depositions; correspondence regarding production of 1993 FCS;
4/25/2005 JSL	3.75	\$35	\$131	Document and file management
4/25/2005 ACT	1.45	\$150	\$218	Work on discovery and motions schedule; interoffice conference regarding schedule; work on correspondence to Judge regarding motions cutoff; review new correspondence
4/26/2005 JSL	2.25	\$35	\$79	Document and file management
4/27/2005 JSL	3	\$35	\$105	Document and file management
4/28/2005 JSL	2.75	\$35	\$96	Document and file management
				telephone call from court staff regarding conference call;
4/29/2005 LRS	1	\$200	\$200	review new pleadings; work on Johnson depo prep
4/29/2005 JSL	3	\$35	\$105	Document and file management
5/2/2005 JSL	1.25	\$35	\$44	Document and file management
5/2/2005 JSL	2.5	\$35	\$88	Index Special Master documents
5/3/2005 JSL	3.5	\$35	\$123	Prepare index of Special Master correspondence
5/4/2005 JSL	2	\$35	\$70	Prepare Index of Special Master Correspondence
5/5/2005 JSL	2.25	\$35	\$79	Prepare index of Special Master correspondence
5/6/2005 JSL	3	\$35	\$105	Prepare index of correspondence file
5/9/2005 AEL	0.95	\$120	\$114	Review latest correspondence, review recently filed pleadings
5/9/2005 JSL	2	\$35	\$70	Prepare index of correspondence file
5/9/2005 ACT	0.15	\$150	\$23	Review new correspondence

5/10/2005 JSL	1	\$35	\$35 Document and file management
5/10/2005 JSL	1	\$35	\$35 Prepare index of correspondence file
5/11/2005 JSL	1.5	\$35	\$53 Prepare index of pleadings file
5/12/2005 JSL	1	\$35	\$35 Prepare index of pleadings files
			Research re expert opinion; confer with M. Walker; respond to
5/14/2005 AEL	1.35	\$120	\$162 e-mails from K&E attorneys
5/23/2005 AEL	0.5	\$120	\$60 Finalize interrogatories; review Order from Special Master;
			Telephone calls with Dechter and Capozzola regarding expert
5/24/2005 LRS	1	\$200	\$200 opinions
6/4/2005 LRS	1.375	\$200	\$275 Telephone calls regarding Dechter report
6/5/2005 LRS	0.5	\$200	\$100 Telephone calls regarding Dechter report
			Review expert damages report; and work on daages issues;
6/6/2005 LRS	2.75	\$200	\$550 review new correspondence from court
			Review expert materials; review new correspondence; review
6/7/2005 LRS	3.375	\$200	\$675 pleadings regarding Guidance and Alix
6/8/2005 MAK	1.75	\$100	\$175 Research cases in which an Ueno testified
6/9/2005 MAK	1	\$100	\$100 Research cases in which an Ueno testified
			Work on prep for Ueno deposition; correspondence regarding
			HEX settlement; review new correspondence regarding
			discovery master; review correspondence regarding expert
6/22/2005 LRS	2.25	\$200	\$450 witnesses
			Review new correspondence regarding Guidance discovery;
6/23/2005 LRS	3.125	\$200	\$625 HEX settlement; J. Kinrich report
			Review motion regarding HEX settlement and prepare
			comments; correspondence and prepare regarding Ueno
6/24/2005 LRS	2	\$200	\$400 deposition
			Telephone calls regarding scheduling of damages motion; work
			on deposition scheduling; prepare report and
6/29/2005 LRS	6.5	\$200	\$1,300 recommendations to C&S
			telephone call with Liebler regarding discovery issues and
			proposed responses, work on letter regarding same; research
			regarding damages; telephone call with expert regarding
			damages calculation; research regarding motion for
			reconsideration; correspondence with Hogan regarding Ueno
7/5/2005 LRS	4.75	\$200	\$950 deposition

				review new correspondence from Matsui; review motion regarding good faith settlement; review correspondence from
7/6/2005 LRS	4.75	\$200	\$950	Hosoda
7/7/2005 LRS	4.5	\$200	\$900	Correspondence regarding Hogan discovery demands
				Review new correspondence from Hogan; attend meeting with
7/8/2005 LRS	4	\$200	\$800	Discovery Master Matsui
				Telephone call with Walker regarding expert opinions; review
7/11/2005 LRS	6	\$200	\$1,200	correspondence from Fujichaku; prepare letter to the Master
				Review most recent correspondence; prepare list of documents
7/12/2005 AEL	0.9	\$120	\$108	to be subpoenaed from plaintiff's expert
7/27/2005 LRS	3.5	\$200	\$700	Work on production of files
7/29/2005 LRS	3	\$200	\$600	Review Guidance production
				Review and send out correspondence regarding summary
				judgment hearing; review recent pleadings; search files for
8/1/2005 ACT	2.5	\$150	\$375	exhibits
				telephone conversation with Fujichaku's office regarding Matsui
8/2/2005 ACT	1.5	\$150	\$225	letter; research regarding attorney-client privilege
				Review correspondence; research and draft memorandum
8/3/2005 ACT	6	\$150	\$900	regarding attorney-client privilege
8/4/2005 ACT	5	\$150	\$750	Research regarding statute of limitations
				Work on review of Guidance production for attorney client
8/5/2005 LRS	4	\$200	\$800	privilege; review APS motion; review Christensen declaration
8/12/2005 ACT	0.2	\$150	\$30	Review correspondence regarding Ueno documents
				Review new pleadings; work on motion for summary judgment
				regarding damages; review letter from Fujichaku and prepare
8/15/2005 LRS	3.5	\$200	\$700	response
				Telephone conversations with Hilo Fish re expert reports;
				review new correspondence from Fujichaku and prepare
8/16/2005 LRS	3.25	\$200	\$650	response
				Review new correspondence; summarize Ueno deposition
				transcript, documents and expert report; review Kinrich expert
8/16/2005 ACT	4.5	\$150	\$675	report
				Telephone calls regarding Hilo Fish; review appellate brief
				regarding 2003 trial; review new correspondence from Dillon;
8/17/2005 LRS	4.25	\$200	\$850	review new correspondence from Ueno

8/18/2005	LRS	5	\$200	\$1,000	Review new correspondence from Matsui; telephone call with Capozzola; review correspondence from Hogan; work on production of Guidance files
8/24/2005	LRS	6	\$200	\$1,200	Work on Guidance file production
8/25/2005	LRS	4.25	\$200	\$850	Work on Guidance file production and telephone calls regarding scheduling of motion for summary judgment
8/26/2005	LRS	3.5	\$200	\$700	Review new pleadings from Hogan and Hosoda; work on Guidance production
8/29/2005	LRS	1.5	\$200	\$300	Review new correspondence from Matsui
8/29/2005	ACT	5	\$150	\$750	Review Matsui's order regarding F-1 Program Materials and sanctions; work on pleadings and correspondence files
8/30/2005	LRS	2.5	\$200	\$500	Review new order from Matsui regarding F1; meeting re ownership of copyright
8/31/2005	LRS	4	\$200	\$800	Work on production of Guidance materials and research regarding copyright damages
8/31/2005	ACT	1	\$150	\$150	Draft and review correspondence regarding Original Capozzola and Kinrich declarations
9/1/2005	LRS	6	\$200	\$1,200	Work on Guidance production
9/2/2005	LRS	3.5	\$200	\$700	Work on Guidance production
9/7/2005	LRS	2.5	\$200	\$500	Work on Guidance production
9/8/2005	LRS	3	\$200	\$600	Work on Guidance production
9/12/2005	LRS	4	\$200	\$800	Work on Guidance production
9/13/2005	LRS	4.5	\$200	\$900	Work on Guidance production
9/16/2005	ACT	0.3	\$150	\$45	Review correspondence regarding F-1
9/19/2005	LRS	3.5	\$200	\$700	Review materials regarding F-1 and work on letter to Matsui regarding same; work on production of Guidance materials
9/21/2005	LRS	6.3	\$200	\$1,260	Review new court order regarding F-1 appeal; telephone calls regarding RE-scheduling of pretrial conference; review new filings by plaintiff; work on research regarding damages msj
9/26/2005	ACT	0.3	\$150	\$45	Review new correspondence
10/4/2005	LRS	4	\$200	\$800	Review new correspondence from Hogan; telephone calls regarding production of Guidance files; prepare letter to Hogan regarding same; review Berry appeal of discovery order and work on response

10/13/2005 LRS	2.75	\$200	\$550	Review new correspondence from Hogan regarding various discovery issues and work on response
10/13/2005 ACT	0.5	\$150	\$75	Review and send out correspondence regarding response regarding F-1 issues
10/14/2005 ACT	0.5	\$150	\$75	Review new correspondence
10/17/2005 ACT	3.8	\$150	\$570	Finalize reply to statement of appeal regarding F-1 issues; review files for Hogan's specific request for 4.6 gig cluster; review new correspondence
10/18/2005 ACT	1	\$150	\$150	Work on statutory damages research
10/19/2005 LRS	4	\$200	\$800	Conference call with Judge Mollway; review new correspondence from Hogan regarding unallocated clusters and Guidance; work on response
10/19/2005 ACT	2.5	\$150	\$375	Work on statutory damages election issue; review Berry's memorandum regarding statutory damages election
10/20/2005 LRS	4.75	\$200	\$950	Research regarding timing for election of statutory damages and jury procedure; review brief regarding same; work on explanation of plaintiff's "unallocated cluster" claim
10/21/2005 LRS	4.5	\$200	\$900	Review new correspondence from Hogan to Discovery master; work on response; prepare further correspondence regarding the alleged 4.6 gb unallocated clusters
10/24/2005 LRS	6.75	\$200	\$1,350	Review new order regarding summary judgment; work on trial prep materials re damages evidence
10/24/2005 ACT	0.5	\$150	\$75	Review files regarding discovery cutoff; review new correspondence regarding summary judgment ruling
10/25/2005 LRS	4	\$200	\$800	Review new letter from Hogan to discovery master; work on reply; work on trial exhibits
10/26/2005 LRS	3	\$200	\$600	Work on new correspondence to Hogan and Discovery Master
10/26/2005 ACT	3	\$150	\$450	Research regarding Dechter expert report; review new pleadings; review files regarding certified copies of copyright registration in response to Hogan request
10/27/2005 ACT	5.3	\$150	\$795	Review new correspondence regarding motions in limine; work on organizing pleadings in preparation for trial
10/28/2005 LRS	5.5	\$200	\$1,100	Review new correspondence from Hogan regarding copyright office; prepare response and research regarding same; correspondence to Hogan regarding discovery matters

10/31/2005 LRS	5	\$200	\$1,000	Correspondence to Matsui and Hogan; prepare privilege log regarding Guidance disks; review unallocated clusters
10/31/2005 ACT	1	\$150	\$150	Review correspondence regarding additional discovery; review files re discovery cutoff date
11/1/2005 LRS	6.5	\$200	\$1,300	Review new correspondence; prepare correspondence to Matsui; review correspondence from Hogan and prepare response regarding privilege log; work on response regarding unallocated clusters
11/2/2005 ACT	1.5	\$150	\$225	Work on trial preparation
11/3/2005 ACT	0.5	\$150	\$75	Work on jury instructions
11/3/2005 LRS	3.75	\$200	\$750	Prepare letter to Hogan regarding privilege log from Guidance materials
11/4/2005 LRS	6	\$200	\$1,200	Work on further briefing regarding Matsui's ruling regarding Guidance; work on briefing regarding unallocated clusters; Review new correspondence from Hogan and prepare response; work on briefing regarding unallocated clusters
11/7/2005 LRS	3	\$200	\$600	work on jury instructions
11/8/2005 ACT	0.3	\$150	\$45	Work on trial prep materials regarding damages and Berry's past testimony
11/8/2005 LRS	9	\$200	\$1,800	Work on trial briefs; telephone calls regarding experts; work on exhibit list
11/15/2005 LRS	5.5	\$200	\$1,100	Work on trial briefs
11/16/2005 LRS	4	\$200	\$800	Work on organizing pleadings and documents in preparation for trial
11/16/2005 ACT	3	\$150	\$450	Review correspondence regarding trial preparation; trial preparation
11/17/2005 ACT	3.5	\$150	\$525	Work on joint and several liability memo
11/25/2005 LRS	2.5	\$200	\$500	Work on trial prep.; work on memos re trial issues
11/28/2005 LRS	2.75	\$200	\$550	Review correspondence regarding trial preparation; organize pleadings and documents for trial
11/28/2005 ACT	5.3	\$150	\$795	Work on pretrial statement; prepare for hearing on OSC motion; telephone calls from discovery master
11/30/2005 LRS	4.75	\$200	\$950	Prepare and attend hearing on OSC regarding Guidance; attend meeting with Discovery Master; work on responsive documents regarding pretrial motions; work on pretrial statement
12/1/2005 LRS	8.5	\$200	\$1,700	

12/2/2005 LRS	8.75	\$200	\$1,750	Review new correspondence regarding milk issue and prepare response; work on trial briefing issues
12/5/2005 LRS	4.5	\$200	\$900	review new correspondence regarding C&S; draft response; telephone call with Betsi Silverman regarding same; work on letter to Hogan
12/13/2005 LRS	5	\$200	\$1,000	Conference call with Noa and Kinrich; work on exhibits
12/19/2005 THY	9.4	\$150	\$1,410	Continue preparing motions in limine pertaining to irrelevant references of prior bad acts
12/19/2005 LRS	2	\$200	\$400	Conference call with Marty Walker regarding expert testimony
12/22/2005 LRS	3	\$200	\$600	Conference calls regarding expert testimony
12/23/2005 LRS	4	\$200	\$800	t/c's re work on expert cross examination
12/23/2005 THY	5.7	\$150	\$855	Telephone conference with A. Andrews regarding exhibits; review documents pertaining to Walker Report; continue preparing motions in limine
12/24/2005 THY	5.4	\$150	\$810	Prepare trial exhibits for exchange
12/26/2005 THY	3.3	\$150	\$495	Prepare trial exhibits for exchange; telephone conference with L. Smith and O. Samad regarding exhibits
12/26/2005 LRS	4	\$200	\$800	Work on expert testimony; conference calls with Walker and Kinrich
12/27/2005 LRS	3.75	\$200	\$750	Conference with Kinrich, Gold, Walker and Liebler
12/27/2005 THY	5.5	\$150	\$825	Telephone conference with E. Liebler, O. Samad, L. Smith regarding trial exhibits and inclusion of powerpoint demonstratives; finalize exhibits for exchange; confirm receipt of exhibits by plaintiff's counsel
12/28/2005 LRS	5	\$200	\$1,000	Work on exhibits; expert demonstratives and motion in limine
12/29/2005 LRS	4.5	\$200	\$900	Work on trial exhibits; work on prep for Brian Christensen examination
12/29/2005 THY	1.5	\$150	\$225	Telephone conference with O. Samad regarding motions in limine and consolidation of exhibits in support of motions in limine; continue preparing motions in limine
12/30/2005 THY	4.5	\$150	\$675	Meeting with L. Smith, L. Hosoda & T. Hogan regarding stipulations on authenticity of exhibits; prepare letter to T. Hogan regarding testimony of Dechter; continue preparing motions in limine and exhibits

12/30/2005 LRS	7	\$200	\$1,400	Meet and confer meeting with Hogan; work on jury instructions; work on Ueno MIL; work on witness prep regarding Hogan's exhibits
12/31/2005 THY	5.3	\$150	\$795	1/2/06 - Continue preparing motions in limine; meeting with L. Hosoda, L. Smith, R. Mead regarding trial strategy
1/3/2006 JMB	1.4	\$80	\$112	Preparation of exhibits for filing of motion.
1/4/2006 LRS	7	\$200	\$1,400	Review Hogan Motions in Limine; new correspondence from Hogan and prepare response; review "protective deposition designation" and "witness list"; prepare comments regarding same
1/8/2006 THY	5	\$150	\$750	Prepare objections to Plaintiff's proposed trial exhibits
1/10/2006 LRS	9	\$200	\$1,800	Work on oppositions to motions in limine and trial brief; work on briefing re profits and deductible expenses
1/11/2006 LRS	2	\$200	\$400	Meeting with Jack Borja and prepare report regarding same; Work on objection to trial exhibits; respond to Hogan correspondence regarding motion in limine regarding "bad acts"; review Hogan responses to motions in limine
1/13/2006 LRS	9	\$200	\$1,800	Review plaintiff's opposition to PCT's Motions in Limine and objections to trial exhibits; continue preparation for trial
1/17/2006 THY	6	\$150	\$900	Continue trial preparation
1/18/2006 THY	6	\$150	\$900	
1/18/2006 LRS	7	\$200	\$1,400	Correspondence with Hogan regarding subpoena; research regarding Dechter 1999 testimony; research regarding Hogan exhibits; correspondence regarding Dechter schedule
1/21/2006 LRS	14	\$200	\$2,800	Work on responses regarding Guidance images; work on memoranda regarding HEX vicarious liability
1/22/2006 LRS	15	\$200	\$3,000	Work on Guidance issues and HEX memorandum
1/23/2006 LRS	14.5	\$200	\$2,900	Prepare and file documents regarding Guidance and HEX
1/23/2006 THY	20	\$150	\$3,000	Continue preparation for trial, organize and assemble deposition transcripts, exhibits, key pleadings; meeting with defense counsel regarding trial presentation and voir dire
1/24/2006 THY	9.8	\$150	\$1,470	Continue with preparation and setup of trial exhibits and key documents for trial; attend jury selection portion of trial; meeting with counsel regarding continuance of trial and production of Guidance images

1/24/2006 LRS	6.5	\$200	\$1,300	Attend preliminary hearings and trial proceedings; work on additional memo regarding HEX
1/25/2006 LRS	4.5	\$200	\$900	Attend meetings regarding Guidance issues
1/25/2006 THY	4	\$150	\$600	Continue trial preparation and finalization of trial preparation materials; meet with defense counsel and plaintiff's counsel regarding duplication of Guidance files
1/26/2006 THY	8	\$150	\$1,200	Continue finalization of trial preparation materials; meeting with plaintiff's counsel and defense counsel regarding duplication of Guidance files
1/27/2006 THY	8	\$150	\$1,200	Continue finalization of trial preparation materials; meeting with defense counsel and T. Noa & M. Dillon regarding demonstrative
1/31/2006 LRS	4.5	\$200	\$900	Review new correspondence from Hogan and prepare comments
2/1/2006 LRS	6	\$200	\$1,200	Work on trial demonstratives; telephone call regarding Dechter; review new correspondence from Hogan; research file regarding same
2/2/2006 LRS	6	\$200	\$1,200	Correspondence regarding service of subpoena on Berry, Kinrich testimony; prepare memo regarding 2,980 files
2/3/2006 THY	3	\$150	\$450	Prepare and file application for admission of M. Baumann, pro hac vice
2/6/2006 LRS	3.75	\$200	\$750	Review new correspondence from Limongelli, Hosoda and Capozzola; review correspondence regarding May 2003 version of database and prepare comments; review Walker report
2/7/2006 LRS	4	\$200	\$800	Review new correspondence from Limongelli, Capozzola and Hogan
2/8/2006 LRS	7.5	\$200	\$1,500	Walker conference call; attend Kinrich conference call; review new correspondence from Hogan and work on responses
2/9/2006 LRS	5	\$200	\$1,000	Correspondence from Hogan, Limongelli and Capozzola; work on responses
2/10/2006 LRS	7	\$200	\$1,400	Correspondence from Hogan, Capozzola, Limongelli and Hosoda; prepare responses; review new Rule 60(b) motion and work on opposition
2/12/2006 LRS	3.5	\$200	\$700	Conference calls regarding Kinrich and strategy

2/18/2006 THY	0.3	\$150	\$45	Review correspondence from T. Hogan regarding Kinrich correspondence; prepare response to question from D. Capozzola regarding exhibit J to Ueno Motion in Limine
2/21/2006 THY	4.3	\$150	\$645	Telephone conference with M. Smith and M. Afuso to coordinate setup of projector equipment in courtroom; meeting with defense counsel regarding witness preparation and revisions to special verdict form
2/22/2006 THY	4	\$150	\$600	Meeting with D. Capozzola and M. Baumann regarding proposed changes to special verdict form; finalize and file special verdict form; review plaintiff's additional motions in limine regarding M. Walker and J. Kinrich testimony
2/24/2006 THY	2.5	\$150	\$375	Meeting with defense counsel regarding trial strategy
2/27/2006 SGN	0.5	\$50	\$25	Transported boxes from office to courthouse in preparation for trial on 2/28/06
2/28/2006 LRS	2	\$200	\$400	Correspondence regarding scheduling of witnesses; review new pleadings
2/28/2006 THY	13.8	\$150	\$2,070	Continue preparation of pleadings for submission at trial; attend trial; meeting with defense counsel regarding trial strategy and proposed testimony
Total			\$143,315	

2. PLEADINGS

8/21/2003 LRS	1	\$200	\$200	Conference call regarding response to Berry lawsuit
8/25/2003 LRS	1	\$200	\$200	Prepare new correspondence and conference call regarding Berry; telephone call with Ichida; review new correspondence from Hogan and telephone calls regarding same
8/26/2003 LRS	1	\$200	\$200	Review new correspondence; telephone call with E. Reber-Porter regarding Hawaiian Express litigation; telephone call with A. Beaman regarding Foodland response to litigation with Berry; telephone calls regarding same
8/27/2003 LRS	1.75	\$200	\$350	Work on responsive pleading to Berry Hawaii lawsuit
8/29/2003 LRS	0.875	\$200	\$175	Work on responsive pleading
9/11/2003 LRS	3	\$200	\$600	Review questions from Cappozzola and provide responses
12/3/2003 AEL	2.55	\$120	\$306	Draft Answer to Berry's Amended Complaint
12/4/2003 AEL	3.75	\$120	\$450	Draft Answer to Amended Complaint

				Research re: whether Noerr-Pennington doctrine is applicable to Sherman Act claims; research re: whether "failing company"
12/5/2003	AEL	2.55	\$120	\$306 defense is applicable
12/7/2003	AEL	2.45	\$120	\$294 Finalize Answer to Amended Complaint
1/15/2004	LRS	1	\$200	\$200 Finalize answer to complaint
				Review Plaintiff's Motion for Leave to File Second Amended Complaint and Motion for Relief from Rule 16 Conference; research re: new defendants added in amended complaint;
1/23/2004	AEL	1.6	\$120	\$192 draft research memo re same
2/23/2004	AEL	0.7	\$120	\$84 Review and analysis of Plaintiff's Second Amended Complaint
				Draft Fleming et al's Answer to Plaintiff's Second Amended Complaint; Review and analyze Plaintiff's Opposition to to Cohen/ES3 Motion to dismiss; Begin Drafting Reply
2/25/2004	AEL	4.95	\$120	\$594 Memorandum to Plaintiff's Opposition
				Research "improper purpose" and "frivolous" for support for Objections to Berry's Proposed Second Amended Complaint;
2/29/2004	AEL	2.95	\$120	\$354 begin drafting same.
				Draft response to Plaintiff's Proposed Amended Second
3/1/2004	AEL	3.8	\$120	\$456 Complaint
				Work on response to amended complaint; telephone call with C&S in-house counsel; prepare materials for C&S; work on
3/2/2004	LRS	1.625	\$200	\$325 proposed settlement term sheet
5/7/2004	AEL	3.9	\$120	\$468 Research re claims against additional defendants
5/7/2004	LRS	2.25	\$200	\$450 Review new amended complaint and work on response
5/13/2004	AEL	3.8	\$120	\$456 Analysis re Second Amended Complaint
5/14/2004	AEL	4.05	\$120	\$486 Work on response to Second Amended Complaint
2/23/2005	AEL	0.375	\$120	\$45 Review latest pleadings
Total				\$7,191

3. INTERROGATORIES

				Review new correspondence from Hogan; work on discovery
10/6/2003	LRS	1.5	\$200	\$300 responses
10/22/2003	LRS	0.875	\$200	\$175 Work on discovery responses
				Review plaintiff's second request for prod of docs for C&S (all
10/28/2003	AEL	0.2	\$120	\$24 three entities) and Fleming

			Draft Fleming and C&S responses to Berry's Second request
10/29/2003 AEL	1	\$120	\$120 for POD
10/29/2003 LRS	1	\$200	\$200 Work on discovery responses
			Final edit on Fleming and C&S's Responses to Plaintiff's
10/30/2003 AEL	0.5	\$120	\$60 Second Request for Production of Documents
11/5/2003 LRS	0.5	\$200	\$100 Work on discovery responses
12/4/2003 LRS	1	\$200	\$200 Prepare discovery responses
1/29/2004 LRS	2.25	\$200	\$450 Work on responses to discovery re Guidance
11/4/2004 LRS	0.5	\$200	\$100 Review documents for production
			Edit and prepare Fleming's First Request for Production of
			Documents from Berry, First Request for Answers to
11/8/2004 AEL	1.25	\$120	\$150 Interrogatories, and subpoena to Y. Hata
			Telephone conference w/ Julia Morgan regarding production of
11/17/2004 LRS	0.5	\$200	\$100 business information to Berry
			Review Judge Mollway's Order re timeline for briefs to be filed;
			review and begin work on document request. Review
			documents that we have already provided; draft memo to
12/16/2004 AEL	2.05	\$120	\$246 Kirkland regarding their request.
			Review Hogan's memorandum regarding 1-7-05 discovery
1/14/2005 AEL	0.45	\$120	\$54 conference; document management
1/19/2005 LRS	0.75	\$200	\$150 Review draft protective order and prepare comments
1/31/2005 LRS	2	\$200	\$400 Work on letter to Matsui regarding preservation of evidence
			Review correspondence from Hogan; telephone call with
2/3/2005 LRS	0.5	\$200	\$100 Hogan regarding Y. Hata discovery disputes
2/3/2005 AEL	0.45	\$120	\$54 Review and edit subpoena for Y. Hata
2/9/2005 AEL	0.01	\$120	\$1 Provide documents to Bronster Crabtree
			confer with O. Samad and A. Andrews of K&E regarding
			scheduling of Berry's motion to quash and PCT's reply on
2/22/2005 AEL	0.4	\$120	\$48 protective order
			Attend hearing before master via conference call; work on
3/8/2005 LRS	0.75	\$200	\$150 responses to requests from Master.
			Prepare letters responding to Special Master's list of questions
			regarding detailed information of the operation of Berry's
3/9/2005 AEL	1.125	\$120	\$135 software
			Work on Special Master's Order that we produce transcripts of
			proceedings where the Berry software was addressed; draft
3/10/2005 AEL	4.4	\$120	\$528 inventory of same

3/11/2005 AEL	2.7	\$120	\$324	Work on production of materials requested by Master; prepare correspondence re same
3/16/2005 LRS	3.375	\$200	\$675	Work on objections regarding protective order and prepare comments; work on objection regarding profit discovery; review new correspondence from Hogan regarding milk packaging and work on inquiry regarding same; prepare report regarding copyright registration
3/17/2005 AEL	0.735	\$120	\$88	Finalize two sets of interrogatories to go out from PCT and C&S.
3/21/2005 LRS	2.75	\$200	\$550	Work on letter to Matsui regarding discovery of "profits"; review plaintiff's expert reports and work on materials for defendant's expert
3/22/2005 LRS	1.625	\$200	\$325	work on motions for summary judgment; work on legal authorities regarding plaintiff's allegation of derivative work
3/22/2005 AEL	1.95	\$120	\$234	review Berry's expert's opinion; research related to expert opinion
4/7/2005 AEL	0.8	\$120	\$96	Finalize letter to Special master regarding need for Order related to Berry's production of FCS
4/8/2005 AEL	1.3	\$120	\$156	prepare original signature filing; conference with Olivia Samad regarding calendar updates, calendar new information; review Hogan's latest correspondence
4/8/2005 LRS	2.75	\$200	\$550	Review new correspondence from Hogan; draft e-mail to Hogan; work on letter to discovery master; work on expert discovery.
Total			\$6,843	

4. DEPOSITIONS

10/10/2003 LRS	0.375	\$200	\$75	Review new correspondence regarding deposition scheduling and prepare response
11/3/2003 LRS	0.5	\$200	\$100	Reveiw new correspondence regarding Dillon deposition
11/26/2003 LRS	0.5	\$200	\$100	Conference call regarding strategy; work on discovery responses regarding C&S 30(b)(6) deposition
12/11/2003 LRS	1	\$200	\$200	Attend depo prep with Dillon
12/16/2003 LRS	0.75	\$200	\$150	Attend depo of Mark Dillon
12/16/2003 JWS	2.25	\$120	\$270	Attend Dillon deposition
12/17/2003 JWS	0.4	\$120	\$48	Prepare deposition summary

12/23/2003 LRS	4.5	\$200	\$900 Prepare and attend continued deposition of Mark Dillon
			Correspondence regarding scheduling of depositions; review
11/16/2004 LRS	1	\$200	\$200 new discovery materials
			Telephone calls with Hogan regarding discovery master;
11/18/2004 LRS	0.5	\$200	\$100 correspondence regarding discovery issues
			Correspondence with Hogan and defense counsel regarding
12/1/2004 LRS	0.75	\$200	\$150 scheduling of discovery
12/3/2004 LRS	1	\$200	\$200 Attend meeting with witnesses
12/6/2004 LRS	3.5	\$200	\$700 Attend depositions of Christensen et al.
			Attending depositions of Alfreda Waiolama and Jacqueline
12/6/2004 AEL	1.125	\$120	\$135 Rio
			Confer with Margery Bronster's office regarding relevant
12/9/2004 AEL	0.22	\$120	\$26 documents; provide documents
			Prepare documents re Y. Hata's deposition and Berry's motion
2/24/2005 AEL	1.65	\$120	\$198 to quash
			Scheduling of depositions of Kleban, Griffin and Berry's
4/21/2005 AEL	1.2	\$120	\$144 Girlfriend;
5/2/2005 LRS	2.625	\$200	\$525 work on motions and depo prep re Johnson and Berry
			Work on analysis of plaintiff's expert opinion and work on
5/3/2005 LRS	3.5	\$200	\$700 Johnson and Berry depo prep
			Prepare notice of depositions, certificates of service, and
			subpoenas and deposition for Ueno and Johnson; confer with
			D. Capozzola regarding service of subpoenas; confer with
			Sheriff Young regarding service of subpoena; draft affidavit for
5/5/2005 AEL	2.55	\$120	\$306 Sheriff;
			Prepare documents for Noticing Berry's Expert witnesses,
5/6/2005 AEL	1.1	\$120	\$132 confer with K&E; supervise service
			Deposition prep; work on legal research regarding plaintiff's
5/10/2005 LRS	2.125	\$200	\$425 theories
			Review and index documents produced by Professor Johnson;
			review past pleadings and exhibits necessary to opening brief;
5/13/2005 AEL	3.1	\$120	\$372 review recent correspondence and orders
5/15/2005 AEL	0.8	\$120	\$96 Preparation for Johnson and Berry depositions
			Review new correspondence; review workup regarding expert
			report in reference to depo prep.; conference call regarding
5/16/2005 LRS	3	\$200	\$600 same;
5/16/2005 JSL	2	\$35	\$70 Prepare for deposition

5/16/2005 AEL	3.55	\$120	\$426	Deposition preparation for Y. Hata; confer with M. Walker and D. Capozzola
5/17/2005 LRS	4.5	\$200	\$900	Attend deposition of Y. Hata; work on prep for Berry and Johnson depositions;
5/17/2005 AEL	5.05	\$120	\$606	Deposition preparation for Y. Hata and Wayne Berry
5/18/2005 LRS	4.25	\$200	\$850	Attend deposition of Wayne Berry; work on prep. for Johnson
5/19/2005 LRS	4.375	\$200	\$875	Attend deposition of Wayne Berry and Philip Johnson
5/19/2005 JSL	0.5	\$35	\$18	Scan exhibits into computer system for deposition prep.
5/19/2005 AEL	4.675	\$120	\$561	Deposition preparation; attend deposition of Wayne Berry
5/20/2005 AEL	0.65	\$120	\$78	Organize documents following depositions; review latest correspondence
6/4/2005 AEL	5.55	\$120	\$666	05/18/05: Deposition preparation for deposition of Wayne Berry; deposition preparation for the deposition of Phillip Johnson attend portion of the deposition of Wayne Berry
6/21/2005 LRS	3.375	\$200	\$675	Review new correspondence regarding expert depositions; correspondence regarding HEX settlement
7/8/2005 AEL	2.1	\$120	\$252	Prepare Notice of Written Deposition; confer with D. Capozzola regarding documents to be produced from Hogan; review most recent correspondence
7/11/2005 AEL	0.8	\$120	\$96	Review correspondence and emails for 7-11-05; final edit to documents requested from Plaintiff's expert, P. Johnson
7/21/2005 LRS	10.5	\$200	\$2,100	Prepare for Ueno deposition and work on opposition to motion to reconsider
Total			\$15,025	

5. Motions Practice

8/1/2003 LRS	1.25	\$200	\$250	Review and comment on draft memo and declarations regarding declaratory motion against Berry; review new correspondence from Hogan
9/2/2003 LRS	1.125	\$200	\$225	Work on motion to dismiss
9/3/2003 LRS	0.625	\$200	\$125	Work on motion to dismiss
9/23/2003 LRS	0.6	\$200	\$120	Review correspondence regarding response to Complaint and prepare comments
10/20/2003 AEL	1.4	\$120	\$168	Attend scheduling conference; research motion to appoint discovery master, and begin drafting motion on same

11/4/2003 AEL	0.8	\$120	\$96 Research and draft motion for appointment of discovery master work on declaration in support of motion for appointment of
11/12/2003 AEL	0	\$0	\$0 discovery master for berry v. HEX
11/13/2003 AEL	1	\$120	Draft discovery master motion; finalize answers to second request for POD
11/13/2003 LRS	2.5	\$200	\$500 Work on discovery issues and discovery motion regarding Fleming
12/1/2003 AEL	0.55	\$120	\$66 Review affidavit of Dillon
12/1/2003 LRS	1.5	\$200	\$300 Work on motion for appointment of master
12/2/2003 LRS	0.75	\$200	\$150 Work on mtn for appointment of discovery master
12/2/2003 AEL	1.5	\$120	\$180 Finalize and file Motion for Appointment of a Discovery Master
12/2/2003 JGK	0.75	\$80	\$60 Assist in preparing exhibits for Motion for Discovery Master.
12/8/2003 LRS	0.5	\$200	\$100 Correspondence re withdrawal of first to file motion
12/30/2003 LRS	1	\$200	\$200 Prepare and attend hearing on motion for appointment of discovery master
1/20/2004 ACT	1.5	\$150	\$225 Work on answer; work on motion to set aside default
1/25/2004 AEL	1.15	\$120	\$138 Re Motion for Leave to File Amended Complaint; Review Local Rule 9.1 re: RICO Statement requirements
1/26/2004 AEL	2.35	\$120	\$282 Work on response to motion for leave to amend complaint for relief from scheduling order
1/28/2004 AEL	2.45	\$120	\$294 Work on analysis of plaintiff's motion for leave to file amended complaint and relief from Rule 16 Order
1/29/2004 AEL	4.7	\$120	\$564 draft memorandum in opposition to plaintiff's motion for leave to file second amended complaint; conference with HEX counsel regarding Berry's allegations of "new" evidence and his state need to file copyright registration
1/30/2004 LRS	1.25	\$200	\$250 Prepare memorandum in opposition to motion for leave to amend complaint
1/30/2004 AEL	5.6	\$120	\$672 Finalize Memorandum in Opposition to Motion for Leave to File Second Amended Complaint, prepare exhibits, prepare for filing
2/2/2004 AEL	0.7	\$120	\$84 Review Plaintiff's Memo in Opposition to Fleming, et al's Motion to Set Aside Entry of Default.

2/4/2004 AEL	0.4	\$120	\$48	Begin drafting Reply Brief re: Fleming et al, Motion to Set Aside Entry of Default
2/5/2004 AEL	3.9	\$120	\$468	Draft Reply Memorandum re: Fleming et al's Motion to Set Aside Entry of Default
5/4/2004 LRS	2.25	\$200	\$450	Review new correspondence regarding Christensen declaration; work on correspondence regarding settlement proposal
5/20/2004 AEL	1.95	\$120	\$234	Prepare legal analysis re motions for s/j
5/20/2004 LRS	2.75	\$200	\$550	Review motion for preliminary injunction and work on responsive comments
5/21/2004 AEL	0.65	\$120	\$78	Research re: standard of review for appeal of magistrates decision on non-dispositive issue, research re: opposition to Appeal of Rule 16 Order
5/24/2004 AEL	1.2	\$120	\$144	Work Cohen and ES3 & FRCP Mtn to dismiss or for s/j
5/24/2004 LRS	1	\$200	\$200	Review new correspondence from Hogan and prepare memo regarding response
5/25/2004 AEL	2.7	\$120	\$324	Research statutory law and case law re: appeal of rule 16 scheduling orders, research "good cause" standard, review Berry requests for production of documents for use in opposition to rule 16 appeal
5/26/2004 AEL	4.8	\$120	\$576	Draft and edit memorandum in opposition to rule 16 scheduling order appeal
5/27/2004 AEL	2.85	\$120	\$342	Drafting and editing Memorandum in Opposition to Rule 16 Appeal, research
5/27/2004 LRS	1	\$200	\$200	Work on position statement regarding appeal
5/28/2004 AEL	3.05	\$120	\$366	Finalize Memo in Opp Re appeal, prepare Memo for filing, prepare exhibits for filing, complete declaration, confirm Fleming/C&S responses to Berry requests for production of documents
6/1/2004 LRS	1.75	\$200	\$350	Review new correspondence regarding preliminary injunction copyright law issues and prepare response; review new pleadings

				research regarding supplemental statement of fact, draft supplemental statement; Draft supplemental statement of fact for Opposition to Berry's Appeal of Rule 16 Order; prepare documents for Capozzola, finalize supplemental statement of fact to Opposition to Berry's Appeal of Rule 16 Order; prepare documents for Capolzzola
6/2/2004 AEL	1.05	\$120	\$126	
6/2/2004 LRS	1.625	\$200	\$325	Work on copyright law issues and review law regarding copyright misuse; conference call regarding copyright issues
6/3/2004 AEL	3.35	\$120	\$402	Work on supplement statement of fact to Opposition to Berry's Appeal of Rule 16 Order, Prepare documents for Capozzola
				Work on copyright issues in response to preliminary injunction motion; telephone conversation with Hosoda; telephone call with Capozzola; prepare supplemental memorandum regarding Rule 16 order
6/3/2004 LRS	1.75	\$200	\$350	Finalize Berry's Supplemental Statement of Fact to Rule 16
6/4/2004 AEL	0.2	\$120	\$24	appeal
6/4/2004 LRS	1	\$200	\$200	Telephone conversations with Hogan regarding scheduling of Berry's deposition
				Attend status conference for Berry v. Fleming; Review Judge Mollway's ruling on Berry's Appeal, review request for production of documents from HTS to Berry;
6/7/2004 AEL	1.15	\$120	\$138	Research and conference call regarding plaintiff's copyright allegations and applicable law re injunction
6/8/2004 LRS	0.75	\$200	\$150	
6/9/2004 LRS	1.25	\$200	\$250	Work on opposition to preliminary injunction
6/14/2004 LRS	1	\$200	\$200	Review new correspondence; telephone conversations with Capozzola and Silverman
				Review new correspondence from C&S and comment on same; telephone conversations with Hogan regarding deposition of Berry; review documents regarding NTI
6/16/2004 LRS	1.25	\$200	\$250	Review new correspondence re mtn for preliminary injunction; prepare regarding preliminary injunction; telephone conversation with Hogan; correspondence with Hogan; meeting with Hogan
6/17/2004 LRS	2.25	\$200	\$450	
6/18/2004 AEL	0.11	\$120	\$13	Provide information for Capozzola re: consultants traveling to Hawaii

6/18/2004 LRS	2	\$200	\$400	Work on legal issues re copyright claims against C&S; mtn for injunction; and mtn for sj; conference with co-counsel
6/22/2004 LRS	2	\$200	\$400	Work on Cohen and ES3 motion; review new correspondence regarding Sean Barry
7/1/2004 LRS	1.5	\$200	\$300	Work on memo in opp to preliminary injunction
7/1/2004 AEL	0.3	\$120	\$36	Work on responses to Plaintiff's pleadings; t/c's w/ other defendants' counsel
7/7/2004 LRS	2.25	\$200	\$450	Work on memo regarding preliminary injunction; prepare information re infringement claim; review correspondence from C&S and prepare response
7/9/2004 LRS	4	\$200	\$800	Work on motion regarding hiring of expert; work on opp to preliminary injunction; prepare memo regarding discovery issues
7/12/2004 LRS	3.25	\$200	\$650	Work on legal discussion re preliminary injunction copyright research; prepare answer to second amended complaint
7/16/2004 LRS	3	\$200	\$600	Work on opp to preliminary injunction; finalize and file answer; work on comments to settlement proposal
7/19/2004 LRS	1.375	\$200	\$275	Work on opposition to preliminary injunction and related discovery matters
7/27/2004 LRS	1.375	\$200	\$275	Conference call re mtns for prelim. Inj.; work on briefing
7/28/2004 AEL	1.9	\$120	\$228	Prepare pro hac vice motions; draft changes to motions
7/29/2004 LRS	2.75	\$200	\$550	Work on opposition to preliminary injunction and motion regarding expert
7/29/2004 AEL	1.7	\$120	\$204	Finalize pro hac vice motions; conference with Olivia Samad of Kirkland & Ellis on same
7/30/2004 LRS	1	\$200	\$200	Work on motion regarding appointment of expert
8/2/2004 AEL	3.1	\$120	\$372	Draft declarations for pro hac vice applications, research regarding the effect of lifting automatic stay on post-trial motions; confer with R. Olivia Samad regarding pro hac vice applications, limitations on judgment, and post trial motions from Berry v. Fleming
8/3/2004 AEL	1.2	\$120	\$144	Continue drafting pro hac vice application, order granting pro hac vice application, declaration of lrs
8/6/2004 AEL	1.15	\$120	\$138	Work on preliminary injunction opp.

8/11/2004 AEL	0.35	\$120	\$42	Confer with R. Olivia Samad of Kirkland & Ellis regarding memorandum in opposition and application of relevant local rules.
8/12/2004 AEL	5.8	\$120	\$696	Review Kirkland & Ellis memo in opp to ensure conformity with local rules, draft COS, draft ael declaration, prepare documents for filing, confer with Melissa Dulac of Kirkland & Ellis regarding the necessary changes for local conformity, confer with M. Dulac regarding exhibits to be attached to memo in opp
8/24/2004 LRS	1	\$200	\$200	Telephone calls with Judge Mollway's clerk and prepare additional information re errata
8/24/2004 AEL	0.725	\$120	\$87	Draft errata to Memo In Opp attaching proper exhibit, prepare for filing, and file
8/25/2004 LRS	0.75	\$200	\$150	correspondence w/ Liebler re testimony of live witnesses at preliminary inj. Hearing
8/25/2004 AEL	0.53	\$120	\$64	Prepared and sent documents requested by Kirkland re Berry's motion for issuance of preliminary injunction
8/26/2004 LRS	1	\$200	\$200	Review new pleadings regarding motion for preliminary injunction
8/26/2004 AEL	0.17	\$120	\$20	Provide Kirkland & Ellis with necessary documents
8/27/2004 LRS	1.25	\$200	\$250	Telephone calls with court, Hogan, Hosoda and correspondence with Liebler regarding procedures
8/27/2004 AEL	2.225	\$120	\$267	Review J. Mollway's inclinations; review documents for copies of Crystal Reports as related to J. Mollway's inclinations; review documents to find pleadings containing Fleming's argument, in the pre-petition case, that Berry failed to comply with statutory deposit requirements
8/29/2004 AEL	1.96	\$120	\$235	Preparation for hearing on motion for preliminary injunction
8/31/2004 LRS	1	\$200	\$200	Prepare new mtn for appointment of master; telephone calls with Hosoda regarding cross exam of Berry
9/1/2004 AEL	0.58	\$120	\$70	Telephone call with O. Samad regarding Rule 16 Order setting the discovery parameters, transcripts from the preliminary injunction hearing on Monday, and Trial setting conference in Berry v. Fleming;
9/3/2004 LRS	1.75	\$200	\$350	Review draft Dillon Declaration and prepare comments; review new correspondence from Hogan
9/7/2004 LRS	1	\$200	\$200	Review and finalize motion for special master

9/7/2004	AEL	4.4	\$120	\$528	Prepare Motion for Special Master Draft, file, and prepare ex parte motion, declaration, and order to shorten time on hearing for motion for appointment of
9/10/2004	AEL	1.75	\$120	\$210	special master Conference call and work on proposed revisions to documents
9/13/2004	LRS	1.5	\$200	\$300	relating to preliminary injunction motion
9/15/2004	LRS	1	\$200	\$200	Review new submission by Hosoda Review Berry Notice of Reliance on Uncited Authority; t/c with Olivia Samad of Kirkland regarding Exemplified Foreign Judgment filed in Circuit Court by Wayne Berry's father; review
9/24/2004	AEL	0.925	\$120	\$111	HRS 636C Uniform Foreign Judgment Act Review correspondence regarding motion for relief from
10/5/2004	LRS	1	\$200	\$200	Scheduling Order Review HEX and Foodland's memorandum filed in response to Berry's Motion for Relief from Scheduling Order; research computation of time for filing on non-hearing motion on a
10/11/2004	AEL	0.285	\$120	\$34	holiday Review Judge Mollway's Order Denying Berry's Motion for
10/12/2004	AEL	0.14	\$120	\$17	Preliminary Injunction;
10/26/2004	AEL	0.19	\$120	\$23	Research regarding subpoena procedure Telephone conversations with Hosoda, Dulac and Hogan regarding discovery master order; correspondence with
10/27/2004	LRS	1.25	\$200	\$250	Hosoda regarding same Correspondence regarding appointment of special master;
11/1/2004	LRS	0.5	\$200	\$100	telephone call with Hogan regarding same Attend hearing on Foodland's Motion for Limited Protective
11/3/2004	AEL	1.1	\$120	\$132	Order, draft brief memo on same Work on motion for summary judgment regarding cohen and ES3; review new correspondence from Hogan and prepare
11/5/2004	LRS	2	\$200	\$400	response Review memorandum in opposition to reconsideration and
11/5/2004	LRS	0.5	\$200	\$100	provide comments Editing and preparing for filing Fleming's Memorandum in
11/5/2004	AEL	4.3	\$120	\$516	Opposition to Berry's Motion for Reconsideration of Order Denying Motion for Issuance of Preliminary Injunction.
11/8/2004	LRS	1	\$200	\$200	Review proposed discovery to Berry and prepare comments

11/12/2004	AEL	0.415	\$120	\$50	Review latest pleadings and SOM order granting Berry's motion for recon on motions for summary judgment
11/19/2004	AEL	1.34	\$120	\$161	Draft and prepare Ex Parte Motion to Extend Time to File Simple Joinder, draft and prepare Simple Joinder
11/23/2004	AEL	1.075	\$120	\$129	Review Judge Mollway's Order Denying Berry's Motion for Reconsideration, review status of Cohen and ES3 at request of C&S
12/16/2004	LRS	0.75	\$200	\$150	Review new draft pleadings
12/17/2004	LRS	1	\$200	\$200	Work on legal analysis motion for summary judgment for ES3; communications with Foodland counsel regarding Alvin Tamanaha testimony
12/20/2004	AEL	3.3	\$120	\$396	draft and prepare for filing C&S/Cohen/ES3 Statements of No Position to Dillon's MSJ, HTC's MSJ, and Foodland's Motion to Dismiss; draft and prepare for filing Fleming's Statement of No Position to HTC's MSJ and Foodland's Motion to Dismiss; and simple joinder to section V of Dillon's MSJ; file same
12/21/2004	AEL	1.65	\$120	\$198	Review Berry's Oppositions to Dillon's MSJ, HTC's MSJ, and Foodland's Motion to Dismiss/MSJ; Review Berry's Response to Concise statement of Dillon, HTC, and Foodland
12/22/2004	AEL	0.8	\$120	\$96	Manage documents to be scanned; draft instructions to printer regarding docuemnts to be scanned; confer with O. Samad regarding format of documents and indexing of documents
12/22/2004	LRS	1.75	\$200	\$350	Telephone call with Beaman regarding discovery corrections; correspondence with Dulac regarding same and additional discovery to Berry
12/29/2004	LRS	1	\$200	\$200	Research re legal standard in 2003 copyright case
1/3/2005	LRS	0.75	\$200	\$150	Prepare correspondence to Clyde Matsui
1/4/2005	LRS	0.5	\$200	\$100	Telephone call from Beaman regarding Foodland request; telephone conversations regarding same
1/5/2005	LRS	0.875	\$200	\$175	Review new pleadings regarding motions for summary judgment; prepare for meeting with discovery master
1/6/2005	LRS	1	\$200	\$200	Review new pleadings and attend conference with discovery master

1/7/2005 LRS	1.25	\$200	\$250	Work on responsive documents requested by discovery master
1/11/2005 LRS	1.25	\$200	\$250	Work on documents for discovery master; review new pleadings
1/17/2005 AEL	0.84	\$120	\$101	Prepare documents for Hearings on Hawaii Transfer Services' MSJ, Dillon's MSJ, and Foodland's Motion to Dismiss
1/18/2005 AEL	1.6	\$120	\$192	Prepare documents for Hearing; attend hearing
1/18/2005 LRS	1.75	\$200	\$350	Attend hearing on motions for summary judgment; attend meeting with Hosoda and C&S personnel
1/28/2005 AEL	0.81	\$120	\$97	Review Judge Mollway's Order Granting Motions to Dismiss; document management
2/1/2005 LRS	1.375	\$200	\$275	Prepare comments regarding Judge Mollway's order and the meaning of "illegal derivative"
2/9/2005 LRS	1.375	\$200	\$275	Telephone calls from Colombe and Beaman regarding court ruling and Foodland right to seek fees and costs; review correspondence Y. Hata issues in light of s/j ruling
2/24/2005 LRS	1	\$200	\$200	work on motions for summary judgment in light of court ruling
2/25/2005 LRS	1.75	\$200	\$350	Review new information regarding imaging; work on motions for summary judgment
2/25/2005 AEL	0.185	\$120	\$22	Work on reply to PCT's motion for protective order; draft documents for filing
2/28/2005 AEL	1.9	\$120	\$228	Research regarding expert opinions obtained and discovery produced by Hogan in Pre-Bankruptcy litigation; prepare Reply Letter in Support of Protective Order and Opposition to Berry's Motion to Quash for service
3/3/2005 LRS	2.25	\$200	\$450	New correspondence with Hogan regarding database production and prepare response; Telephone conference from Hogan regarding same; prep for hearing before Matsui; review correspondence from Bronster regarding Guidance claims and defenses and work on response; review new correspondence from Hogan.
3/7/2005 AEL	1.3	\$120	\$156	Prepare letters responding to T. Hogan's March 4 letters; coordinate teleconference

3/8/2005 AEL	1.6	\$120	\$192	Attend hearing before Special Master on PCT's motion for protective order; review calendars for both cases' deadlines; conf with Special Master's office regarding expert's needs for review of computers
3/28/2005 LRS	3	\$200	\$600	Review new correspondence and work on motions; conference call regarding expert witness
4/5/2005 LRS	3.5	\$200	\$700	Prepare opposition to Hogan's Motion for Relief from Scheduled Order; telephone calls regarding discovery extension from Guidance; review Berry memorandum regarding judgment; telephone calls with Capozzola regarding expert report and discovery master ruling; prep for Ueno deposition
4/11/2005 LRS	3.875	\$200	\$775	Prepare and attend hearing on employees' motion for summary judgment; work on motion for summary judgment; prepare letters to Matsui and Hogan regarding discovery conference; work on C&S expert opinion
4/14/2005 LRS	2.875	\$200	\$575	Conference call regarding expert testimony; draft motion to postpone expert deadlines and motions cutoff
4/14/2005 ACT	1.75	\$150	\$263	Work on motion for relief from scheduling order; work on ex parte motion to shorten time for hearing on motion for relief from scheduling order
4/15/2005 LRS	2.25	\$200	\$450	Attend hearing before Judge Kobayashi; telephone call with Bradley Dechter regarding expert testimony on profits; prepare correspondence re scheduling
4/18/2005 LRS	3.125	\$200	\$625	Work on motions regarding discovery and for summary judgment regarding expert opinion; telephone calls and correspondence regarding documents subpoenaed by Berry from Costco and other irrelevant third parties; proposed mediation and depositions of Griffin and Kleban; conference call with Marty Walker regarding expert opinion
4/20/2005 AEL	0.3	\$120	\$36	Work on Opposition to Berry's Motion for Summary Judgment; review and correspondence
4/21/2005 LRS	4.5	\$200	\$900	Review Berry's motion for summary judgment; review Guidance motion for summary; work on oppositions; telephone calls with C&S counsel; coirrespondence regarding scheduling

4/22/2005 LRS	4.5	\$200	\$900	Attend conference with Discovery Master; work on motions and memos in opposition
4/22/2005 AEL	0.83	\$120	\$100	Work on opp to Berry's msj
4/25/2005 AEL	0.55	\$120	\$66	Work on Rule 56(f) motion; review correspondence
4/26/2005 LRS	4.125	\$200	\$825	Review Berry's alleged "trade secrets"; work on motion regarding Hawaii trade secret statute
4/27/2005 AEL	3	\$120	\$360	Preparation and filing of PCT's Rule 56(f) motion and Ex Parte Motion
4/27/2005 LRS	1.875	\$200	\$375	Review new communications from court; work on motions regarding summary judgment
4/28/2005 LRS	2.25	\$200	\$450	Work on responses to Hogan's filings and on Rule 56(f) motion research regarding protective order in berry v. fleming, the documents covered by the order, draft and file C&S Joinder in
4/28/2005 AEL	4.2	\$120	\$504	Fleming's 56(f) Motion
5/4/2005 LRS	3.25	\$200	\$650	Conference call regarding plaintiff's expert report; work on summary judgment
5/4/2005 AEL	4.3	\$120	\$516	Finalize and prepare opposition to Berry's Statement of Appeal from Protective Order for filing; research and obtain documents from Berry v. Fleming for Appellate Briefing; draft and prepare for filing C&S joinder to PCT's Opposition to Berry's Statement of Appeal
5/23/2005 LRS	4.5	\$200	\$900	Work on analysis of Plaintiff's Exhibits and opposition to plaintiff's motion for summary judgment
5/25/2005 LRS	4.75	\$200	\$950	Work on Exhibit 34 and other evidence re msj
5/30/2005 LRS	4.5	\$200	\$900	Work on exhibits and s/j motions
5/31/2005 LRS	2	\$200	\$400	Work on exhibits and s/j motions
5/31/2005 AEL	1.53	\$120	\$184	Work on Opp to Berry's Motion for Summary Judgment; confer with Rex Fujichaku regarding exhibits in Berry's Concise Statement in Support of MSJ
6/2/2005 JSL	1	\$35	\$35	Prepare exhibits for filing
6/2/2005 JGK	4.25	\$80	\$340	Assist with preparation of documents to be filed in US District Court.
6/2/2005 AEL	14.52	\$120	\$1,742	Prepare PCT Countermotion and Opposition, Concise Statement, Declarations, and exhibits to PCT's Opposition to Berry's Motion for Summary Judgment for filing; finalize C&S documents for filing

6/3/2005 JGK	0.5	\$80	\$40	Coordination of filing of cross motions. Finalize pleadings for filing; review latest correspondence; draft letter to T. Hogan regarding pdf copy of Countermotions and Oppositions; review email confirmations regarding the sending
6/3/2005 AEL	2.765	\$120	\$332	of same Review new pleadings regarding Motions for Summary
6/3/2005 LRS	2.5	\$200	\$500	Judgment; telephone calls regarding expert reports Prepare Materials requested by K&E re argument on Counter-Motion for Summary Judgment; prepare and file Errata to
6/8/2005 AEL	2.325	\$120	\$279	Concise Statement Correspondence regarding Guidance discovery; prepare
6/8/2005 LRS	2	\$200	\$400	supplemental filing; work on expert matters
6/12/2005 AEL	0.67	\$120	\$80	Preparation of PCT's Further Evidentiary Objections for filing Review drafts of PCT's Reply Memorandum and Berry's
6/13/2005 AEL	1.75	\$120	\$210	Oppositions / Reply
6/13/2005 LRS	8	\$200	\$1,600	Work on reply Review AlixPartners' Reply to Countermotion for Summary Judgment; review stipulation re good faith settlement; review final settlement document executed by Berry Schaul; confer
6/14/2005 AEL	1.85	\$120	\$222	with AlixPartner counsel re stipulation
6/14/2005 LRS	7	\$200	\$1,400	Work on reply and expert opinions Finalize Reply Briefs for C&S and PCT in Support of Countermotion for Summary Judgment; finalize evidentiary
6/15/2005 AEL	3.65	\$120	\$438	objections Review pleadings filed by all defendants; prepare and re-file M. Walker's expert report; confer with G. Tom re documents
6/16/2005 AEL	1.535	\$120	\$184	filed Meetings regarding prep for argument and work on argument; review documents from court; review new correspondence
6/17/2005 LRS	4.125	\$200	\$825	from Fujichaku Prepare materials for K&E attorneys for the hearing motion for summary judgment; review SOM's order granting AlixPartner's
6/17/2005 AEL	3.97	\$120	\$476	countermotion for summary judgment. Preparation for hearing on Berry's Motion for Summary Judgment and PCT's and C&S's Counter-Motion for Summary
6/19/2005 AEL	1.575	\$120	\$189	Judgment

6/20/2005 AEL	3.1	\$120	\$372	Prepare documents and exhibits for hearing on Berry's Motion for Summary Judgment and PCT's and C&S's Counter-Motion for Summary Judgment; attend hearing on same
6/20/2005 JGK	0.5	\$80	\$40	Prepare documents for Hearing on Motion for Summary Judgment. Transport and set-up binders at United States District Court for Hearing on Motion for Summary Judgment.
6/20/2005 LRS	3.25	\$200	\$650	Prepare and attend argument on motion; report to C&S
6/28/2005 LRS	5	\$200	\$1,000	Review order granting summary judgment
6/28/2005 AEL	0.65	\$120	\$78	Review Order Granting in Part and Denying Part Plaintiff's MSJ and Defendants Counter-MSJ
7/12/2005 LRS	9	\$200	\$1,800	Work on opp to motion to reconsider
7/12/2005 AEL	3.1	\$120	\$372	Review plaintiff's motion for reconsideration; research response deadlines; edit documents to be produced by plaintiff's expert P. Johnson; confer with O. Samad of K&E re calendaring and deadlines
7/13/2005 AEL	1.7	\$120	\$204	Conference with opposing counsel re subpoena of Plaintiff's expert P. Johnson; draft letter re same; confer with Plaintiff's expert P. Johnson re production of documents
7/13/2005 LRS	7.5	\$200	\$1,500	Review correspondence regarding use of disk drives and prepare response; correspondence regarding Dillon access to motion and materials
7/14/2005 LRS	7.5	\$200	\$1,500	Work on opp to reconsideration
7/14/2005 AEL	2.9	\$120	\$348	Draft Motion to Compel Production of Documents from Plaintiff's Expert P. Johnson; draft Motion for Order Permitting M. Dillon to view, in full, Motion for Reconsideration
7/15/2005 LRS	6.5	\$200	\$1,300	Work on opp to recon
7/18/2005 LRS	9	\$200	\$1,800	Telephone calls with Walker re mtn to recon; work on opp to reconsider
7/19/2005 LRS	5	\$200	\$1,000	Work on memo regarding motino to shorten time and on opp to reconsider
7/20/2005 LRS	4.75	\$200	\$950	Review order from Master; prepare letter to Master and Hogan; telephone call with Walker; work on opp to reconsider

7/22/2005 ACT	3.5	\$150	\$525	work on PCT's opposition to motion for reconsideration; edit and finalize pleadings for filing
7/22/2005 LRS	9	\$200	\$1,800	prepare and take deposition of Ueno
7/25/2005 LRS	3.75	\$200	\$750	Correspondence with Hogan regarding production of computer files
7/26/2005 LRS	4	\$200	\$800	Work on supplemental memorandum regarding Hogan accusations
8/2/2005 LRS	7.25	\$200	\$1,450	Review reply memo; prepare letter to Matsui; review new correspondence from Hogan to Matsui; review materials regarding vicarious liability; work on motion for summary judgment regarding damages; conference call regarding surreply
8/4/2005 LRS	3	\$200	\$600	Work on motion for summary judgment regarding damages calculation
8/9/2005 ACT	1.5	\$150	\$225	Review correspondence; search files for Foodland correspondence; review Guidance's supplemental statment regarding motion for reconsideration
8/10/2005 ACT	0.3	\$150	\$45	Review order denying motion for reconsideration
8/10/2005 LRS	4	\$200	\$800	Review Guidance pleading regarding motion to reconsider; review correspondence regarding Christensen declaration and telephone conversation with Christensen regarding same; research regarding past and present supply agreements with Times and Foodland
8/18/2005 ACT	4	\$150	\$600	Review deposition transcripts re motion for s/j
8/22/2005 ACT	1	\$150	\$150	Review new correspondence; review revised summary judgment motion
8/22/2005 LRS	2.5	\$200	\$500	Review draft reply brief; work on restructured reply brief
8/23/2005 LRS	1.5	\$200	\$300	Work on concise statement of facts
8/23/2005 ACT	6	\$150	\$900	Work on PCT summary judgment; review and draft correspondence regarding summary judgment motion
8/24/2005 ACT	8	\$150	\$1,200	Work on PCT summary judgment motion; edit and finalize motion for filing; review Defendant Employees summary judgment motion; telephone conversations with Mead and Court regarding summary judgment motion hearing dates; review correspondence regarding hearing dates
9/6/2005 LRS	3.75	\$200	\$750	Review new pleadings filed by Hogan appeal from discovery

9/12/2005 ACT	1	\$150	\$150	Research regarding procedure for appeal of discovery master's order
9/15/2005 ACT	3	\$150	\$450	Review new correspondence; research regarding filing deadlines for appeal of master's order; draft correspondence regarding filing deadline; review opposition to partial summary judgment motions on damages; draft correspondence regarding service of summary judgment motion
9/23/2005 LRS	4.75	\$200	\$950	revisions thereto
9/26/2005 LRS	4	\$200	\$800	Work on reply brief
9/28/2005 ACT	0.5	\$150	\$75	Review draft reply memorandum and correspondence
9/28/2005 LRS	4.75	\$200	\$950	Work on reply memo and prepare research regarding same
9/29/2005 ACT	3	\$150	\$450	Review correspondence regarding reply for summary judgment motion on damages; finalize evidentiary objections; finalize declarations
9/30/2005 LRS	4	\$200	\$800	Finalize reply brief
10/4/2005 ACT	0.5	\$150	\$75	Review Berry's Statement of Appeal of F-1 issues
10/5/2005 ACT	0.2	\$150	\$30	Review order from discovery master regarding Guidance materials
10/7/2005 LRS	1.75	\$200	\$350	Review new order from Matsui; work on report regarding same
10/10/2005 LRS	3	\$200	\$600	Attend meeting regarding preparation for hearing on Motion for Summary Judgment on damages
10/11/2005 LRS	5	\$200	\$1,000	Prepare and attend hearing on Motion for Summary Judgment
10/11/2005 ACT	3	\$150	\$450	Prepare for and attend summary judgment motion hearing; review new correspondence, Kobayashi order, and draft response regarding F-1 issues
10/12/2005 LRS	2	\$200	\$400	Work on memorandum explaining F-1 discovery dispute
10/17/2005 LRS	3	\$200	\$600	Work on briefs regarding F-1 and unallocated clusters; conference call regarding same
10/18/2005 LRS	4.5	\$200	\$900	Review Berry statement of appeal and new pleadings; work on response

				Review correspondence regarding statutory damages
10/20/2005 ACT	1	\$150	\$150	supplement; finalize statutory damages supplement for filing
10/27/2005 LRS	5	\$200	\$1,000	Work on opposition to motion for reconsideration
11/9/2005 LRS	5	\$200	\$1,000	Work on opposition to Guidance OSC
				Work on response to Berry's motion for order to show cause
11/9/2005 ACT	2.5	\$150	\$375	regarding Guidance Software
				Work on response to Berry's motion for order to show cause
				regarding Guidance Software; edit and finalize response for
11/10/2005 ACT	7	\$150	\$1,050	filing
				Work on opposition to OSC; review correspondence from
11/10/2005 LRS	3.5	\$200	\$700	Victor Limongelli re same
				Review new correspondence from Hogan regarding Guidance
11/14/2005 LRS	3	\$200	\$600	OSC; work on opposition
				Telephone call with Capozzola regarding schedule; work on
11/17/2005 LRS	3.5	\$200	\$700	opposition to OSC; work no Motions in Limine
11/18/2005 LRS	4.5	\$200	\$900	Work on Motions in Limine, voir dire and trial brief
				Review replies for motion for order to show cause regarding
11/18/2005 ACT	0.5	\$150	\$75	Guidance
11/23/2005 LRS	3	\$200	\$600	Work on trial memorandums and Motions in Limine
12/5/2005 ACT	1.5	\$150	\$225	Edit and finalize pretrial statement for filing
				Work on exhibits; work on motions in limine; telephone calls
12/14/2005 LRS	7	\$200	\$1,400	regarding expert testimony
				Work on exhibits; work on motions in limine; telephone calls
12/15/2005 LRS	8	\$200	\$1,600	regarding expert testimony
12/15/2005 THY	0.8	\$150	\$120	Work on motions in limine and exhibit preparation
12/16/2005 THY	5	\$150	\$750	Continue preparing motions in limine
12/17/2005 THY	4.7	\$150	\$705	Continue preparing motions in limine;
12/18/2005 THY	7.8	\$150	\$1,170	Continue preparing motions in limine;
				Continue preparing motions in limine for exclusion of
				references to Guidance Software, C&S and regarding irrelevant
12/20/2005 THY	8	\$150	\$1,200	prior bad acts
12/21/2005 THY	6.7	\$150	\$1,005	Continue preparing motions in limine
				Telephone conference with O. Samad regarding exhibits for
				trial; correspondence with D. Capozzola regarding exhibits to
12/22/2005 THY	0.7	\$150	\$105	Motions in Limine

				1/1/06 - Continue preparing motions in limine and consolidated
12/31/2005 THY	0.7	\$150	\$105	exhibits
1/3/2006 LRS	9	\$200	\$1,800	Finalize Motions in Limine; finalize witness lists
				Continue preparing motions in limine, declaration in support of
				motions and exhibits; telephone conference with O. Samad
1/3/2006 THY	8.8	\$150	\$1,320	regarding exhibits in support of motions in limine
				Follow up regarding motions in limine; review plaintiff's motions
1/4/2006 THY	2	\$150	\$300	in limine
				Review new pleadings from Hogan regarding Stussi and Borja;
1/5/2006 LRS	8.5	\$200	\$1,700	work on responses to plaintiff's motions
				Continue preparing responses to Plaintiff's motions in limine;
1/5/2006 THY	6	\$150	\$900	review Plaintiff's trial exhibits
				Correspondence regarding Hogan exhibits; review new exhibits
				regarding Ueno and prepare comments regarding same;
				review new exhibit regarding Texarcana lawsuit and prepare
1/6/2006 LRS	6.75	\$200	\$1,350	objection
				Prepare response to Plaintiff's motions in limine to exclude
				evidence regarding location of API records and
1/7/2006 THY	3	\$150	\$450	evidence/mention of unrelated judgments against Plaintiff
				Prepare supplemental declaration of L. Smith in support of
				motions in limine; correspondence to T. Hogan regarding meet
				& confer; continue preparing objections to plaintiff's trial
				exhibits; continue preparing memoranda in opposition to
1/9/2006 THY	9.6	\$150	\$1,440	plaintiff's motions in limine
				Continue preparing, finalize and file memoranda in opposition
				to plaintiff's motions in limine; objections to plaintiff's trial
				exhibits; trial brief, proposed jury instructions, concise
				statement of case and special verdict form; telephone
				conference with O. Samad regarding finalization and filing of
				motions in limine and objections; telephone conference with R.
1/10/2006 THY	14.3	\$150	\$2,145	Mead regarding filing of joint objections to trial exhibits
				Review draft memoranda in opposition to Plaintiff's motion for
				permanent injunction; telephone conference with O. Samad
1/11/2006 THY	2.5	\$150	\$375	regarding declaration of B. Christiansen

1/12/2006 THY	3.5	\$150	\$525	Prepare and file PCT's memorandum in opposition to Plaintiff's motion for permanent injunction and supporting declaration
1/13/2006 THY	2.3	\$150	\$345	Continue review of Plaintiff's trial brief, memoranda in opposition to motions in limine
1/16/2006 LRS	4.75	\$200	\$950	Work on legal memoranda
1/17/2006 LRS	5.75	\$200	\$1,150	Conference call with Kinrich regarding testimony; work on memoranda regarding arguments on motions in limine
1/19/2006 LRS	4	\$200	\$800	Work on preparation for motions in limine and trial
1/19/2006 THY	3	\$150	\$450	Review plaintiff's reply memoranda in support of motion for permanent injunction; continue trial preparation
1/20/2006 THY	8.2	\$150	\$1,230	Attend hearing on Motions in Limine; meeting with defense counsel regarding trial preparation issues; prepare brief regarding vicarious infringement issues
1/20/2006 LRS	16	\$200	\$3,200	Prepare and attend argument on pre-trial motions; work on responses to court questions regarding HEX Vicarious Liability and production of Guidance images
1/21/2006 THY	11.5	\$150	\$1,725	Continue preparing supplemental trial brief regarding vicarious liability and exhibits in support of memorandum; review Guidance files withheld from production for attorney client privilege protection
1/22/2006 THY	15.8	\$150	\$2,370	Continue review of Guidance image files withheld from production; prepare files for in camera inspection by court; prepare supplemental declaration of L. Smith regarding production of Guidance materials
1/30/2006 LRS	2	\$200	\$400	Prepare and attend status conference
2/16/2006 LRS	3	\$200	\$600	Review new correspondence from Capozzola regarding trial issues and prepare response
2/17/2006 THY	4.2	\$150	\$630	Finalize and file additional Motion in Limine to exclude testimony of T. Ueno
2/20/2006 LRS	2.75	\$200	\$550	Work on trial prep memos
2/21/2006 LRS	2.75	\$200	\$550	Work on trial memos
2/22/2006 LRS	2.75	\$200	\$550	Review Hogan/Berry new pleadings regarding Kinrich and Walker; work on revisions to verdict form; research regarding production of CD to Walker
2/23/2006 LRS	2.75	\$200	\$550	Review and revise draft briefs regarding Kinrich and Walker; review new pleadings from Hogan

				Review plaintiff's objection to proposed special verdict form; file memoranda in opposition to plaintiff's Motions in Limine
2/23/2006 THY	1.2	\$150	\$180	regarding testimony of M. Walker and J. Kinrich
2/24/2006 LRS	8	\$200	\$1,600	Work on briefing regarding EULA and related issues
2/25/2006 LRS	4.5	\$200	\$900	Work on supplemental briefing and cross examinations
2/26/2006 LRS	6.75	\$200	\$1,350	Work on supplemental briefing
				Draft motion re enforceability of liquidated damages clause;
				prepare supplemental trial memorandum regarding
2/26/2006 THY	5.2	\$150	\$780	admissibility of EULA
				Continue preparing supplemental trial memorandum regarding
				admissibility of UELA; prepare pleadings to be submitted at trial;
				prepare pleadings to be submitted to trial; prepare exhibits,
2/27/2006 THY	19.8	\$150	\$2,970	transcriptions for trial
				Attend hearing on pre-trial motions; work on additional briefing
2/27/2006 LRS	7	\$200	\$1,400	and cross examination
10/20/2003 LRS	0.75	\$200	\$150	Attend scheduling conference
Total			\$139,549	

6. Attending Hearings

12/3/2003 LRS	1.25	\$200	\$250	Attend hearing and prepare report to C&S
				Attend hearing on Motion to Amend Complaint and on
2/17/2004 LRS	1	\$200	\$200	proposed settlement
3/17/2004 AEL	0.55	\$120	\$66	Status Conference before Judge Kobayashi
8/29/2004 LRS	1.75	\$200	\$350	Prep for argument on mtn for preliminary injunction
8/30/2004 LRS	2.5	\$200	\$500	Prepare and attend argument on mtn for preliminary injunction
				Final preparatiohn for hearing on Motion for Issuance of
8/30/2004 AEL	1.35	\$120	\$162	Preliminary Injunction, attend hearing
				Telephone calls and correspondence with Liebler and Hosoda
				re preliminary injunction; discovery master and retention of
9/21/2004 LRS	1.5	\$200	\$300	expert
				prep for preliminary injunction hearing; correspondence re
9/24/2004 LRS	2	\$200	\$400	Court inquiry on the date of the injunction hearing
				Prep for hearings regarding special master and preliminary
9/26/2004 LRS	1	\$200	\$200	injunction

9/27/2004 LRS	4.5	\$200	\$900	Attend hearing on special master and prepare for preliminary injunction motion
9/27/2004 AEL	1.6	\$120	\$192	Prepare documents for conference with Liebler, Hosoda, Dulac, Mead, and Dillon; attend conference with same
9/28/2004 LRS	3	\$200	\$600	Prepare and attend hearing on motion for preliminary injunction
10/19/2005 LRS	1		\$0	Prepare and attend conference call w/ Judge Mollway
12/12/2005 LRS	2	\$200	\$400	Attend pretrial conference
2/28/2006 SGN	0.75	\$50	\$38	Transported boxes from KSG office to courthouse for trial
6/27/2005 LRS	4	\$200	\$800	Work on discovery for damages experts
Total			\$5,358	